

24.04.2024
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allowed

CRM (DB) No. 1286 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kolkata Leather Complex Police Station Case No. 103 of 2020 dated 08.10.2020 under Sections 395/397 of the Indian Penal Code and under Sections 25(1B)(A)/27 of the Arms Act.

And
In Re : Aftab Alm alias Aftab Alam petitioner

Mr. Angshuman Chakraborty
Mr. S. S. Saha
....for the petitioner

Ms. Amita Gaur
Md. Sayeed Khan
.... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record.

Petitioner is in custody for more than three years. There is delay in trial. On such score co-accused has been enlarged on bail. There is little possibility of trial concluding in the near future. Under such circumstances, we are inclined to grant bail to the petitioner.

3. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Baruipur, South 24-Parganas, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the

witnesses and/or tamper with evidence in any manner whatsoever.

4. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

5. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)